

July 30, 2018

Mr. Henry Leskinen
Eco-Science Professionals, Inc.
P.O. Box 5006
Glen Arm, MD 21057

Re: Fleetpro, Inc. at 3895 & 3896 Washington Boulevard
Forest Buffer Variance
Tracking # 01-18-2769

Dear Mr. Leskinen:

A request for a variance from the Baltimore County Code, Article 33, Title 3, a Law for the Protection of Water Quality, Streams, Wetlands and Floodplains, was received by this Department of Environmental Protection and Sustainability (EPS) on July 23, 2018. If granted, the variance would allow the applicant to impact 19,400 square feet (sf) of Forest Buffer Easement, including 2,850 sf of isolated, man-induced emergent wetland, in order to conduct site grading, installation of a retaining wall, and construction of a warehouse/office building and bio-retention facility.

The property is 4.5 acres, with one isolated, man-induced wetland of low quality along the northeastern edge of the property. No buildings or other manmade structures currently exist on the lot except for approximately 25,500 sf of existing macadam paving at the south end. The property's small size and unusual triangular configuration limit its industrial uses. Additionally, the eastern third of the property consists of steep slopes which extend down to the Baltimore Beltway and as such, is unusable for development. These factors reduce the usable site area by almost 35%. Avoiding all impact to the FBE would result in further limitation to development, and a facility large enough to meet the needs of the applicant would not be possible.

This Department has reviewed your request and has determined that a practical difficulty exists in avoiding impact to the Forest Buffer Easement. Furthermore, impacts to water quality would be minimized given that the wetland area onsite is small, isolated, and provides little water quality benefit. Furthermore, no streams will be directly impacted by granting this variance.

Therefore, we will grant this request in accordance with Section 33-3-106 (a)(1) of the Baltimore County Code, with the following conditions:

1. The permanent impacts to emergent wetlands and associated Forest Buffer shall be mitigated by the purchase of 19,400 sf of credit in an EPS-approved forest buffer

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mitigation bank prior to issuance of any County permit. A letter authorizing this purchase is enclosed for your use.

2. Documentation of State and Federal authorization to impact the 2,850 of emergent non-tidal wetland and associated 25-ft. buffer must be provided to EPS prior to issuance of any County grading permit.
3. The following note must appear on all subsequent plans submitted for this project:

“A variance was granted on July 30, 2018 by the Baltimore County Department of Environmental Protection and Sustainability from the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains to allow 19,400 square feet of impact to the Forest Buffer Easement. The development shown hereon reflects the fact that this variance was granted. Conditions were placed on this variance to reduce impacts to water quality including offsite mitigation.”

It is the intent of this Department to approve this variance subject to the above conditions. Any changes to site layout will require submittal of revised plans and a new variance request.

Please have the party responsible for meeting the conditions of this variance sign and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of plans for this project.

If you have any questions regarding this correspondence, please contact Ms. Libby Errickson at (410) 887-3980.

Sincerely yours,

David V. Lykens
Deputy Director

DVL/lbe

Enclosure

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I/we agree to the above conditions to bring my/our property into compliance with Law for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Owner's/Developer's Signature Date

Printed Name